

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

RACHEL SPIVACK	:	
<i>Plaintiff,</i>	:	CIVIL ACTION NO. 2:22-cv-01438
v.	:	
	:	
CITY OF PHILADELPHIA	:	
and	:	
LAWRENCE S. KRASNER	:	
<i>in his official capacity as the</i>	:	
<i>District Attorney of Philadelphia,</i>	:	
<i>Defendants.</i>	:	
_____	:	

**NOTICE OF APPEAL**

Notice is hereby given that Plaintiff in the above-named case hereby appeals to the United States Court of Appeals for the Third Circuit from the January 4, 2023 Order denying Plaintiff's Motion for Summary Judgment and granting Defendants' Motions for Summary Judgment. (A copy of the Court's Order dated January 4, 2023 is attached hereto and marked as "Exhibit A").

Dated: February 1, 2023

By:   
Christina Martinez, Esq.  
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***Attorneys for Plaintiff***

Respectfully submitted,

SIDNEY L. GOLD & ASSOC., P.C.

/s/ Sidney L. Gold, Esquire

\_\_\_\_\_  
SIDNEY L. GOLD, ESQUIRE

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# EXHIBIT A

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

RACHEL SPIVACK,  
Plaintiff

v.

CITY OF PHILADELPHIA,  
LAWRENCE S. KRASNER,  
Defendants.

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Civ. No. 22-1438

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**ORDER**

AND NOW, this 4th day of January, 2023, upon consideration of Defendant Krasner's Motion for Summary Judgment (Doc. No. 34), Plaintiff's Motion for Summary Judgment against Defendant Krasner (Doc. No.33), Defendant City of Philadelphia's Motion for Summary Judgment (Doc. No. 32), Defendant City's Motion to Amend/Correct Motion for Summary Judgment (Doc. No. 35), and all related submissions (Doc. Nos. 36, 38, 39, 41), it is hereby **ORDERED** that:

- Defendant Krasner's Motion for Summary Judgment (Doc. No. 34) is **GRANTED**;
- Plaintiff's Motion for Summary Judgment against Defendant Krasner (Doc. No. 33) is **DENIED**;
- Defendant City's Motion to Amend/ Correct Motion for Summary Judgment (Doc. No. 35) is **GRANTED**; and
- Defendant City's prior Motion for Summary Judgment (Doc. No. 32) is **DENIED as MOOT**.
- Judgment is entered in favor of Defendants and against Plaintiff. The Clerk of Court shall close this case.

AND IT IS SO ORDERED.



Paul S. Diamond, J.

**CERTIFICATE OF SERVICE**

I, Christina Martinez, certify that on this 1<sup>st</sup> day of February 2023, I served Plaintiff's

Notice of Appeal on the following via ECF and/or e-mail:

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